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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Papers in This Submission	Five	Application Number	09/896,226
		Filing Date	June 29, 2001
		First Named Inventor	Eric J. Benjamin et al.
		Art Unit	1617
		Examiner Name	Shobha Kantamneni
		Attorney Docket Number	WYTH0011-100 (AM100155)

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment and Request For Reconsideration under 37 C.F.R. § 1.111 in response to Office Action dated February 7, 2006 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Three-Month Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - USPTO Form SB/08b (Listing References 22-26) - Copies of References 22-26; 5 Publications Cited; 5 Copies Submitted
Remarks EXPRESS MAIL LABEL NO.: EV772 143 524US DATE OF DEPOSIT: August 7, 2006		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Cozen O'Connor, P.C.		
Signature			
Printed Name	Michael A. Patané		
Date	August 7, 2006	Reg. No.	42,982

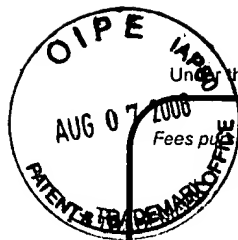
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited, via Express Mail Service, with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Michael A. Patané	Date	August 7, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,200.00

Complete if Known

Application Number	09/896,226
Filing Date	June 29, 2001
First Named Inventor	Eric J. Benjamin et al.
Examiner Name	Shobha Kantamneni
Art Unit	1617
Attorney Docket No.	WYTH0011-100 (AM100155)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____

☒ Deposit Account Deposit Account Number: 50-1275 Deposit Account Name: Cozen O'Connor, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
<u>11</u>	<u>- 20</u> or HP = <u>00</u>	x \$ _____ = \$ _____
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
<u>04</u>	<u>- 04</u> or HP = <u>00</u>	x \$ _____ = \$ _____
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/ 50 = _____ (round up to a whole number) x	=	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Three-Month Extension of Time Fee (\$1,020) and
Information Disclosure Statement Fee (\$180)

Fees Paid (\$)

\$1,200.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	42,982	Telephone	(215) 665-6966
Name (Print/Type)	Michael A. Patané	Date	August 7, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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WYTH0011-100 (AM100155)
Serial No. 09/896,226



August 7, 2006 Response
to February 7, 2006 Office Action

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Benjamin et al.	Group Art Unit:	1617
		Examiner:	Shobha Kantamneni
Serial No.:	09/896,226	Confirmation No.:	9422
Filed:	June 29, 2001	Docket No.:	WYTH0011-100 (AM100155)
For:	PHARMACEUTICAL COMPOSITION OF ESTROGENIC AGENTS		
Customer No.:	35139		

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

VIA EXPRESS MAIL LABEL NO: EV772 143 524US

DATE SENT: August 7, 2006

**AMENDMENT AND REQUEST FOR
RECONSIDERATION UNDER 37 CFR § 1.111**

Sir:

In response to the Office Action mailed on February 7, 2006, as well as submission of a Petition for Three-Month Extension of Time extending the period for response from May 7, 2006 to August 7, 2006, accompany this response. Applicants respectfully request reconsideration in light of the

Listing of the Claims, reflecting current amendments, beginning on page 2 of this paper;
and **Remarks** beginning on page 5 of this paper.